

Diane Conklin
Spokesperson
Mussey Grade Road Alliance
PO Box 683
Ramona, CA 92065

June 1, 2021

Ms. Caroline Thomas Jacobs
Director, Wildfire Safety Division
California Public Utilities Commission, Wildfire Safety Division
505 Van Ness Avenue
San Francisco, CA 94102

Transmittal via email: wildfiresafetydivision@cpuc.ca.gov and R.18-10-007 service list

**RE: MUSSEY GRADE ROAD ALLIANCE COMMENTS ON WILDFIRE SAFETY
DIVISION'S PROPOSED CHANGES TO THE 2021 SAFETY CERTIFICATION
GUIDANCE PURSUANT TO PUBLIC UTILITIES CODE §8389(F)(2)**

Dear Director Thomas Jacobs:

The Mussey Grade Road Alliance (MGRA or Alliance) serves these comments pursuant to the instructions in the May 11, 2021 Proposal circulated by the Wildfire Safety Division,¹ which allows public comment prior to 5 p.m. on June 1, 2021.

The Alliance supports the Wildfire Safety Division's proposed changes.

In particular, we support WSD's proposed changes in Section 2.2.2² regarding implementation of the Wildfire Mitigation Plan as a prerequisite for approval of utility Safety Certifications. Public Utilities Code §8389(e)(7) leaves room for interpretation when it requires that "the electrical corporation is implementing its approved wildfire mitigation plan." By clarifying that this requirement implies that the utilities are *effectively* implementing their plan, the WSD prevents this approval from becoming a pro-forma exercise that would be achieved with minimal effort on the part of the IOUs.

¹ Wildfire Safety Division's Proposed Changes to the 2021 Safety Certification Guidance Pursuant to Public Utilities Code §8389(f)(2); May 11, 2021; p. 6.

² Id.; p. 4.

Safeguarding the issuance of Safety Certifications and ensuring that all criteria are met is a critically important function performed by WSD. A Safety Certification gives IOUs a distinct advantage over ratepayers in the event of a utility-caused wildfire, in that an IOU's actions will be assumed to be prudent based on the Safety Certification "unless a party to the proceeding creates a serious doubt as to the reasonableness of the electrical corporation's conduct."³

According to §8389(e)(7), an IOU must be "implementing" its plan in order to be eligible for a Safety Certification. What, though, is the definition of "implementing", and who makes this determination? Should WSD rely on the word of the utility spokespeople or attorneys? Is a utility "implementing" a plan if its execution does not meet the standards set forth in the plan approved by WSD and the Commission? The proper determination of whether a utility is "implementing" its plan presupposes measurement and verification, and this is exactly what WSD's proposed change would do. The WSD compliance process results in numerous documents, assessments, and findings. The proposed change would allow WSD to use these "documents, assessments, and associated findings to assess whether an electrical corporation has satisfied the requirements of Pub. Util. Code §8389(e)(7) when evaluating electrical corporation Safety Certification requests."⁴ This will help to ensure that utilities are implementing their Wildfire Mitigation Plans in a meaningful way as a prerequisite to obtaining their Safety Certifications.

The Alliance supports WSD's efforts and appreciates the opportunity to provide comment on this WSD proposal.

Respectfully submitted this 1st day of June, 2021,

By: /S/ ***Diane Conklin***

Diane Conklin
Spokesperson
Mussey Grade Road Alliance
P.O. Box 683
Ramona, CA 92065
(760) 787 – 0794 T
dj0conklin@earthlink.net

³ Public Utilities Code §451.1(c).

⁴ WSD Proposed Changes; p. 4.